



April 2, 2003

Via Electronic Filing

Ms. Marlene Dortch
Federal Communications Commission
445 12th Street, S.W., TW-A325
Washington, D.C. 20554

Re: **EX PARTE**
ET Docket No. 95-18; IB Docket 01-185

Dear Ms. Dortch:

On April 2, on behalf of ICO Global Communications (Holdings) Limited ("ICO"), Gerry Salemme, Larry Williams and Suzanne Hutchings met with Barry Ohlson, Legal Advisor to Commissioner Jonathan Adelstein.

ICO addressed the March 6, 2003 ex parte filing by AT&T Wireless Services, Inc., Cingular Wireless LLC, and Verizon Wireless ("the Carriers"). ICO pointed out that the Commission's Order in the Mobile Satellite Service (MSS) Flexibility proceeding¹ expressly contemplates that licensing, construction and testing activities for an ancillary terrestrial component (ATC) can occur prior to commencement of mobile satellite service operations.² ICO also acknowledged that under the ATC Order, ATC services cannot be offered commercially before or until the licensee's MSS system is commercially operating and the gating criteria met.³

ICO emphasized that the ATC Order specifically supports ICO's view and urged the Commission not to reconsider or clarify *sua sponte* its decision in a way that would prohibit MSS licensees' ability to obtain ATC authorization prior to commencement of MSS.

Letter to Marlene Dortch, page 2

April 2, 2003

¹ *Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Bands*, Report and Order and Notice of Proposed Rulemaking, FCC 03-15 (Feb. 10, 2003) ("ATC Order").

² See *ATC Order*, ¶¶ 3, 250, App. B (adopting 47 C.F.R. § 25.143(i), (j)).

³ See *ATC Order*, ¶¶ 3, 85, 250.

1133 21st Street, NW
Suite 800
Washington, DC 20036

202 721 0960 phone
202 296 8953 fax
web: www.ico.com

In accordance with section 1.1206(b) of the Commission's rules, I am submitting an electronic copy of this letter.

Very truly yours,

/s/ Suzanne Hutchings

Suzanne Hutchings

ICO Global Communications (Holdings) Ltd.

cc: Barry Ohlson